

UNITED STATES DISTRICT COURT

for the

Western District of North Carolina

FILED
Asheville

Sep 25 2024

U.S. District Court
Western District of N.C.

In the Matter of the Search of)

(Briefly describe the property to be searched
or identify the person by name and address))Facebook Accounts: Andrew DeVinney User ID 100010733371225,
and John Smith User ID 100052453491283 That are Stored at Premises
Controlled by Meta Platforms, Inc.)

Case No.1:24-mj-38-WCM

WARRANT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search and seizure
of the following person or property located in the Northern District of California

(identify the person or describe the property to be searched and give its location):

See Attachment A.

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property
described above, and that such search will reveal (identify the person or describe the property to be seized):

See Attachment B.

YOU ARE COMMANDED to execute this warrant on or before 9/26/2024 (not to exceed 14 days)☐ in the daytime 6:00 a.m. to 10:00 p.m. ☒ at any time in the day or night because good cause has been established.Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the
person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the
property was taken.The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory
as required by law and promptly return this warrant and inventory to The Honorable W. Carleton Metcalf
(United States Magistrate Judge)☐ Pursuant to 18 U.S.C. § 3103a(b), I find that immediate notification may have an adverse result listed in 18 U.S.C.
§ 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose
property, will be searched or seized (check the appropriate box)☐ for days (not to exceed 30) ☐ until, the facts justifying, the later specific date of
Signed: September 12, 2024W. Carleton Metcalf
United States Magistrate Judge

Date and time issued: September 12, 2024 3:03 PM EDT

City and state: Asheville, NC

Honorable W. Carleton Metcalf, United States Magistrate Judge
Printed name and title

Return

Case No.: 1:24mj38 305I-CE- 899724	Date and time warrant executed: 9/11/2024 1500 hr	Copy of warrant and inventory left with: Meta
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Inventory made in the presence of: **SA Schaefer**

Inventory of the property taken and name(s) of any person(s) seized:

Zippered file containing 18 GB of data.**Certification**

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

Date: **9/25/24**



Executing officer's signature
Jared Schaefer Special Agent FBI

Printed name and title

ATTACHMENT A

Property to Be Searched

This warrant applies to information associated with the following Facebook accounts that is stored at premises owned, maintained, controlled, or operated by Meta Platforms, Inc., a company headquartered in Menlo Park, California:

- Andrew DeVinney with associated user ID 100010733371225, and
- John Smith with associated user ID 100052453491283.

ATTACHMENT B

Particular Things to be Seized

I. Information to be disclosed by Meta Platforms, Inc. (“Meta”)

To the extent that the information described in Attachment A is within the possession, custody, or control of Meta, regardless of whether such information is located within or outside of the United States, including any messages, records, files, logs, or information that have been deleted but are still available to Meta, or have been preserved pursuant to a request made under 18 U.S.C. § 2703(f), Meta is required to disclose the following information to the government for each user ID listed in Attachment A for the time period of **July 1, 2023 – August 13, 2024**:

- (a) All contact and personal identifying information, including full name, user identification number, birth date, gender, contact e-mail addresses, physical address (including city, state, and zip code), telephone numbers, screen names, websites, and other personal identifiers.
- (b) All activity logs for the account and all other documents showing the user’s posts and other Facebook activities;
- (c) All photos and videos uploaded by that user ID and all photos and videos uploaded by any user that have that user tagged in them, including Exchangeable Image File (“EXIF”) data and any other metadata associated with those photos and videos;
- (d) All profile information; News Feed information; status updates; videos, photographs, articles, and other items; Notes; Wall postings; friend lists, including the friends’ Facebook user identification numbers; groups and networks of which the user is a member, including the groups’ Facebook group identification numbers;

future and past event postings; rejected “Friend” requests; comments; gifts; pokes; tags; and information about the user’s access and use of Facebook applications;

- (e) All records or other information regarding the devices and internet browsers associated with, or used in connection with, that user ID, including the hardware model, operating system version, unique device identifiers, mobile network information, advertising ID, and user agent string;
- (f) All other records and contents of communications and messages made or received by the user, including all Messenger activity, private messages, chat history, video and voice calling history, and pending “Friend” requests;
- (g) All IP logs, including all records of the IP addresses that logged into the account;
- (h) All records of Facebook searches performed by the account;
- (i) The types of service utilized by the user;
- (j) The length of service (including start date) and the means and source of any payments associated with the service (including any credit card or bank account number);
- (k) Records of any Facebook accounts that are linked to the account by machine cookies (meaning all Facebook user IDs that logged into Facebook by the same machine as the account); and
- (l) All records pertaining to communications between Meta and any person regarding the user or the user’s Facebook account, including contacts with support services and records of actions taken.

Meta is hereby ordered to disclose the above information to the government within 14 of issuance of this warrant.

II. Information to be seized by the government

All information described above in Section I that constitutes fruits, evidence and instrumentalities of violations of 18 U.S.C. § 2252A(a)(2)(A) (receipt and distribution of child pornography), and 18 U.S.C. § 2252A(a)(5)(B) (possession of, knowing access, or attempted access with intent to view child pornography), involving ANDREW DEVINNEY since **July 1, 2023, to August 13, 2024**, including, for each user ID identified on Attachment A, information pertaining to the following matters:

- a. Records related to “child pornography,” as defined in 18 U.S.C. § 2256(8), and “child erotica,” which means materials or items that are sexually arousing to persons having a sexual interest in minors but that are not necessarily obscene or do not necessarily depict minors engaging in sexually explicit conduct.
- b. Records constituting evidence of or pertaining to an interest in child pornography or sexual activity with children;
- c. Evidence indicating how and when the Account was accessed or used, to determine the geographic and chronological context of account access, use, and events relating to the crime under investigation and to the Account owner;
- d. Records showing or identifying the devices used to connect to the account; and
- e. Records regarding the location of the user of the account during account activity and to help reveal the whereabouts of such person(s).

- f. Evidence indicating the Account owner's state of mind as it relates to the crimes under investigation;

As used above, the term "records" includes all of the foregoing items of evidence in whatever form and by whatever means they may have been created or stored, including any form of electronic storage and any photographic form.

This warrant authorizes a review of electronically stored information, communications, other records and information disclosed pursuant to this warrant in order to locate evidence, fruits, and instrumentalities described in this warrant. The review of this electronic data may be conducted by any government personnel assisting in the investigation, who may include, in addition to law enforcement officers and agents, attorneys for the government, attorney support staff, and technical experts. Pursuant to this warrant, the FBI may deliver a complete copy of the disclosed electronic data to the custody and control of attorneys for the government and their support staff for their independent review.